

# **Intellectual property objects created in labour-law relationships in the Czech Republic and selected countries of the European Union**

## **Abstract**

The contemporary modern period of 21<sup>st</sup> century is characterised by a constantly developing progress, new information technologies as well as innovative tendencies in all spheres of human life, allowing individuals their own self-fulfilment through their own intellectual activity. It is not unusual for an intangible property to be created as a result of human intellectual activity carried out during a labour-law relationship. As a result thereof, a legal regulation of the mutual relationships of the contractual parties, i.e. the employee and the employer, with respect to the result of such a human intellectual activity, is necessary.

The submitted dissertation thesis deals with a legal regulation of the intellectual property objects created by employees in the course of labour-law relationships *de lege lata* in the Czech Republic and in the selected countries of the European Union, i.e. the France and the United Kingdom of the Great Britain and Northern Ireland.

The dissertation thesis is composed of five coherent chapters, whereby the third chapter dealing with the legal regulation *de lege lata* of selected intellectual property objects created by employees in the course of the labour-law relationships in the Czech Republic, i.e. the employee work, the employee invention and the employee industrial design, is deemed to be the crucial chapter of the whole dissertation thesis. The goal of the analysis is to respond to the question as to what are the mutual rights and obligations of the contractual parties with respect to these intellectual property objects and how to deal with ancillary queries, for instance with respect to a pecuniary compensation.

The dissertation thesis further focuses on the analysis of the crucial legal terms of copyright, i.e. the intellectual property, copyrights and related rights, as well as industrial property; attention is also paid to the legal terms of the labour law connected with the performance of work, i.e. the labour-law relationship and the dependent work.

The dissertation thesis also deals with the historical survey of the international treaties connected with the intellectual property, i.e. the Paris Convention for the protection of industrial property, the Berne Convention for the protection of literary and artistic works, the Convention establishing the World Intellectual Property Organization (WIPO) and the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS).

Finally the dissertation thesis outlines, through a comparative method, the legal regulation of the analysed intellectual property objects created in labour-law relationships in selected European Union member states' legal regulations, the France and the United Kingdom of Great Britain and Northern Ireland. The aim is to answer the question whether the relevant provisions of the legal regulations are similar or distinct in comparison with the Czech legal regulation and what could be considered as a possible inspiring source for the Czech legal regulation *de lege ferenda*.

The main sources of information have been Czech and foreign publications, articles published in professional journals and court decisions.

**Klíčová slova:**

**intellectual property object – labour-law relationships – employee work**